



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3011251, 3011265, 3011266

Applicant Name: Mark Travers for Vinson Brothers Corp.

Address of Proposal: 11410, 11241, 11246 Renton Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to allow revegetation of a 3,114 sq. ft. area and 115 cubic yards of grading (removal of previously placed fill) in an environmentally critical area. Project includes review of work on adjacent properties: 11242 Renton Ave S (#3011265) and 11246 Renton Ave S (#3011266).

The following approval is required:

SEPA – Environmental Determination (Seattle Municipal Code Chapter 25.05. and 25.09.320)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

The property at 11410 Renton Ave S. is located in a Neighborhood Commercial 1 zone (NC1-40) and contains a two story commercial structure and paved parking. The adjacent properties to the north at 11242 and 11246 Renton Ave South are zoned Single Family (SF7200). The properties contain Environmentally Critical Areas associated with Taylor Creek – a riparian corridor,



associated steep slopes/ landslide-prone soils, and wildlife habitat. Properties to the north, south and east are zoned single family, and are developed with residential uses. Renton Ave. South abuts the property on the west, and coincides with the Seattle City Limits. The area west of Renton Avenue South is located outside of the City.

Proposal Description

The applicant proposes to remove approximately 115 cubic yards of previously placed fill along the top of the bank and re-vegetate in an environmentally critical area (steep slope and riparian corridor). The proposal is a response to a violation: placing fill in an environmentally critical area (DPD Case Nos.1021434 and 1021449). The fill was placed by the owner of 11410 Renton Ave S. and extended onto two neighboring properties. The disturbed area will be planted with native vegetation appropriate to the riparian environment. The area of work is approximately 4935 s. f.



Public Comments

Two comment letters were received during the official comment period which ended on June 2, 2010. The comments expressed concern about the initial placement of fill; they did not dispute the need to remove the fill material and revegetate.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist prepared on April 13, 2010 and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision. Review is limited to issues pertinent to Environmentally Critical Area (ECA) impacts and mitigation.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed

discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

Temporary or construction-related impacts are expected. For the most part, these impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794). City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Building Code (construction measures in general) and 2) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions for these impacts are not necessary. However, the proposal site is located in environmentally critical areas. Therefore, additional discussion of earth impacts is warranted. Additionally, due to the location adjacent to residential uses, discussion of noise impacts is also warranted.

Earth / Soils

The ECA Ordinance and Director's Rule (DR) 33-2006 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering study. The study has been reviewed and approved by DPD's geotechnical experts. Geotechnical requirements of the land use and grading permit, including special inspections where the project geotechnical engineer is present during fill removal, ensure that the work proceeds in a way that does not cause undue risk to the subject property or adjacent properties, and that the proposal complies with the Stormwater, Grading and Drainage Control Code. No additional conditioning is warranted pursuant to SEPA policies.

Construction impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Noise

The site is surrounded by residential uses. The removal of fill should be able to be accomplished in a relatively short period of time. However, fill removal activities and hauling create noise above normal residential levels and could negatively impact adjacent uses. In contrast, the revegetation planting activities are not anticipated to cause adverse impacts to adjacent uses. A noise condition is detailed that restricts hours of the activities to reduce impacts to the adjacent uses.

Long-term Impacts

The long-term impacts are expected to be very minimal due to the restoration of native plants. Any long term impacts will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff). The other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by condition.

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

CONDITIONS – SEPA

During Construction

1. **Noise.** All non-noisy revegetation work such as planting shall occur during the hours of 7 am to 6 pm on weekdays. Fill removal shall occur during more restrictive hours of 8 a.m. and 4 p.m. on weekdays only.

Prior to Finalling of the Building Permit

2. **Inspection.** All revegetation work must be installed and inspected by the DPD ECA revegetation specialist prior to the final inspection. Call 206-386-1981 to arrange inspection.

For the life of the project

3. **Maintenance.** The owner(s) and/or responsible party(s) shall maintain the native plant landscaping per plan.

Signature: _____ (signature on file) Date: September 16, 2010

Holly Anderson
Land Use Planner
Department of Planning and Development

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